

TOWN OF NEEDHAM

EMPLOYMENT OF MINORS POLICY #103

1. PURPOSE AND SCOPE

The purpose of this document is to outline the various rules, regulations and laws which department managers and appointing authorities must follow when hiring minors under the age of eighteen (18) into Town service, in accordance with the Massachusetts General Laws, Chapter 149.

2. APPLICABILITY

This policy applies to all General Government employees.

3. DEFINITIONS

Minor below the age when full civil and personal rights can be exercised (in this context, 18 years of age).

Refer to the Section 8.3 of the Personnel By-law for the definition of commonly used words..

4. POLICY

The Town of Needham will comply with the laws of the United States and the Commonwealth of Massachusetts in the area of child labor. Department managers authorities should pay strict attention to the procedures and requirements listed below in order to ensure compliance with law and the safety of children who may work for the Town.

5. PROCEDURES

5.1 Minors Sixteen (16) Years of Age and Older

- 5.1.1 Minors sixteen (16) years of age and older may perform most types of work, except work involving hazardous occupations as established by the State and Federal Secretaries of Labor (See attachment A).
- 5.1.2 Minors sixteen (16) years of age and older may not work more than nine (9) hours per day, nor more than forty-eight (48) hours per week.
- 5.1.3 Minors sixteen (16) years of age and older may not work between 10:00 p.m. and 6:00 a.m. (except that, in restaurants and race tracks, they may work until 12:00 p.m. Fridays, Saturdays and during school vacations, not including the last day of the vacation).
- 5.1.4 Minors sixteen (16) years of age and older must submit an educational certificate which they have obtained from their school or the Superintendent of Schools in the town where they live.
- 5.1.5 The Town must keep posted in a conspicuous place, in the room where such minor is employed or reports to work, a printed notice or schedule stating the number of hours such

minor is required or permitted to work on each day of the week, the total number of scheduled hours for the week, the hours commencing and stopping work, and the hours when the time allowed for meals begins and ends for every day of the week.

5.2 **Minors Fourteen (14) and Fifteen (15) Years Old**

- 5.2.1 Minors fourteen (14) and fifteen (15) years old must have on file an "Employment Permit" from their school or the Superintendent of Schools in the Town where they live.
- 5.2.2 Minors fourteen (14) and fifteen (15) years old may not be employed during school hours (unless as part of a qualifying "work experience program").
- 5.2.3 Minors fourteen (14) and fifteen (15) years old may not be employed between 7:00 p.m. and 7:00 a.m. (except that from July 1 through Labor Day they may work until 9:00 p.m.).
- 5.2.4 Minors fourteen (14) and fifteen (15) years old may **not** be employed:
 - X more than three (3) hours per day on school days;
 - X more than eighteen (18) hours per week in school weeks;
 - X more than eight (8) hours per day during a period of not more than nine (9) consecutive hours on non-school days;
 - X more than forty (40) hours per week; or
 - X more than six (6) days in a week.
- 5.2.5 In addition to the exclusions outlined in Attachment A, minors of fourteen (14) and fifteen (15) years are prohibited from working in the occupations listed in Attachment B.
- 5.2.6 The provisions of Section 5.1.5 also apply to fourteen (14) and fifteen (15) year old minors.

ATTACHMENT A
Prohibited Hazardous Occupations for Minors
under age Eighteen (18)

1. manufacturing and storing explosives;
2. motor vehicle driving;
3. coal mining;
4. logging and saw-milling;
5. operating power-driven wood working machines;
6. operating power-driven hoisting apparatus;
7. any work causing exposure to radioactive substances;
8. operating power-driven metal-forming, punching and shearing machines;
9. mining, other than coal mining;
10. slaughtering, or meat packing, processing or rendering;
11. operating power-driven bakery machines;
12. manufacturing brick, tile and similar products;
13. operating power-driven paper product machines;
14. operating power-driven circular saws, band saws, and guillotine shears;
15. wrecking, demolition and ship-breaking;
16. roofing;
17. excavating;
18. working in railway operations;
19. working in foundries, or working in or about blast furnaces;
20. buffing or polishing equipment;
21. handling, serving or selling alcoholic beverages;
22. working as a firefighter or engineer on any boat or vessel;
23. manufacturing white or yellow phosphorous matches; and
24. working at any occupation over thirty feet above the ground, floor or water level (including washing windows in a public or commercial building if the window sill is more than ten (10) feet above the ground or floor level, or the roof of an adjoining building).

ATTACHMENT B
Prohibited Occupation for Fourteen (14) and
Fifteen (15) year old minors

1. manufacturing of any kind;
2. mining of any kind;
3. processing, such as filleting fish, dressing poultry, or cracking nuts;
4. laundering as performed by commercial laundries, and dry cleaning;
5. working in workrooms or workplaces where goods are manufactured, mined or otherwise processed;
6. working for a public messenger service;
7. operating or tending hoisting apparatus or any power-driven machinery (other than office machines or machines in retail, food service and gasoline service establishment which are specified on the list of permitted occupations as machines which fourteen (14) and fifteen (15) year olds may operate in such establishments (Attachment C);
8. working in any occupations found and declared to be hazardous by official designation;
9. working in connection with:
 - X the transportation of persons or property by rail, highway, air, water, pipeline or other means;
 - X warehousing and storage;
 - X communications and public utilities; or
 - X construction (including repair); except office and sales work in connection with these four categories as long as such office and sales work is not performed at the site of the prohibited work;
10. working in any of the following occupations even in retail, food service, or gasoline service establishments: working in or about boiler or engine rooms; maintaining or repairing the building, machines, or equipment; outside window washing that involves working from window sills; working on ladders, scaffolds, or their substitutes; cooking (except at soda fountains, lunch counters, snack bars, or cafeteria serving counters) and baking; operating, setting up, adjusting, cleaning, oiling, or repairing power-driven food slicers and grinders, food choppers and cutters, and bakery-type mixers; working in freezers and meat coolers and all work in preparation of meats for sale (except wrapping, sealing, labeling, weighing, pricing and stocking when performed in other areas); loading and unloading goods to and from trucks, railroad cars, or conveyers; and working in warehouses except office and clerical work;
11. working in any billiard or pool room;
12. working in the theatrical trades, unless approval is obtained from the State Commissioner of Labor and Industries;
13. working at an occupation involving industrial homework; and
14. working in any of the occupations prohibited for all minors under the age of eighteen (18), listed in Attachment A.

ATTACHMENT C
Permitted Occupations for Fourteen (14) and Fifteen (15) year old Minors

1. Office and clerical work, including operation of office machines;
2. cashiering, selling, and modeling art work, working in advertising departments, window training and comparative shopping;
3. price marking and tagging by hand or by machine, assembling orders, packing and shelving;
4. bagging and carrying out customers' orders;
5. errand and delivery work by foot, bicycle and public transport;
6. cleanup work, including the use of vacuum cleaners and non-commercial floor waxers, and maintenance of grounds, but not including the use of power-driven mowers or cutters;
7. kitchen work and other work involved in preparing and serving food and beverages, including the operation of machines and devices used in the performance of such work, such as dishwashers, toasters, dumbwaiters, popcorn poppers and milk shake blenders;
8. work in connection with cars and trucks, if confined to the following: dispensing gas and oil, courtesy services on the premises of the gasoline service station, hand car cleaning, washing and polishing, and other work permitted by this section, but not including work involving the use of pits, racks, or lifting apparatus, or involving the inflation of any tire mounted on a rim equipped with a removable retaining rim;
9. cleaning vegetables and fruits, wrapping, sealing, labeling, weighing, pricing, and stocking goods when performed in areas physically separate from areas where meat is prepared for sale, and outside of freezers and meat coolers.